

1 APPEARANCES: (Cont'd)

2

3 MS. KAREN CHANG
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7 (Appearing on behalf of the Staff of the
8 Illinois Commerce Commission)

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I N D E X

WITNESS

DIRECT

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REDIRECT

RECROSS

None .

EXHIBITS

MARKED

ADMITTED

None .

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9 At this time may we have the
10 appearances orally for the record, first on behalf of
11 the Petitioner, TCG St. Louis?

16 JUDGE JONES: Thank you. Ms. Chang?

21 JUDGE JONES: Thank you. Are there any other
22 appearances? Let the record show there are not.

1 It is my understanding that Staff and
2 the Petitioner are in agreement on some scheduling to
3 be put into place at this time. I am going to read
4 into the record what I believe to be the
5 understanding in that regard. Feel free to interrupt
6 me for purposes of clarification or correction as I
7 do this. Then after I read it in, then I will ask
8 whether that is agreeable to Staff and the
9 Petitioner.

10 The next thing in the process, at
11 least in terms of the scheduling being put into place
12 today, is a filing date and time of 11/20. It is
13 November 20 at noon. At that time the Petitioner
14 will file on e-Docket some additional proposed
15 exhibits as a prepared testimony/exhibit filing.

16 That will consist of several
17 components. The first component, I believe, would be
18 copies of the currently effective partnership
19 agreement applicable to TCG or some indication that
20 that may mean a '94 agreement with a '97 amendment
21 will be filed as the currently effective partnership
22 agreement, if that is in fact the case.

1 The second item, which is related
2 really to the first, centers around some of the
3 information contained in paragraph four of the
4 affidavit. There was some questions raised about the
5 various levels of ownership and the entities
6 involved. In any event, I believe that one of those
7 questions was with regard to the second of the three
8 partners, TCG St. Louis Holdings, Inc., and whether
9 that was in fact the same entity as the corresponding
10 partner in the original agreement or the amendment to
11 it.

12 In any event, the second piece of
13 information provided will provide information with
14 respect to that question and clarify it. The
15 underlying intent there would be a receipt of
16 information that will provide a way to compare the
17 three partners which the petition says own TCG St.
18 Louis with the partners that are listed as the owners
19 of TCG St. Louis in the underlying partnership
20 agreement documentation.

21 The third type or piece of information
22 was to be in the form of a chart. That really

1 relates back to these first two items as well.
2 Referred at one time to a org chart or perhaps
3 ownership chart, it will explain in chart form the
4 tiers of ownership in TCG St. Louis on up the line.
5 It is noted in the -- stated in the affidavit that
6 Teleport Communications Group, Inc., is a first tier
7 wholly-owned subsidiary of AT&T Corp., that Teleport
8 Communications Group, Inc., in turn is in some manner
9 the owner of the three partners.

10 In any event, there was some questions
11 about what that means and how that works. So the
12 idea of the chart would, as footnoted, would be to
13 clarify that and explain that in a form that would be
14 reader friendly.

15 So those are the, I guess, the three
16 items. It is, I suppose, possible that items two and
17 three could actually be combined by showing the item
18 two of the footnote on the chart. We will leave some
19 flexibility in the process for the preparer of the
20 chart and the filer of the chart in that regard.

21 So I believe that's what was intended
22 to be provided by the Petitioner here as exhibits to

1 be filed on e-Docket. I will make sure of that in a
2 minute, but I will go on with the rest of what I
3 think to be the schedule.

4 On November 28 at noon Ms. Hertel on
5 behalf of the Petitioner here will provide
6 electronically to Ms. Chang a copy of a draft order
7 in this docket. It may be provided sooner, but 11/28
8 at noon is a not-later-than time to give Ms. Chang an
9 opportunity to look it over in advance of a status
10 hearing date.

11 The date selected for that, I believe,
12 is the next day, November 29 at 2:00 p.m.

13 MS. HERTEL: That is my understanding, Your
14 Honor, with one additional clarification.

15 JUDGE JONES: Sure.

16 MS. HERTEL: The amended agreement actually I
17 believe is a 1996 amendment to the original
18 agreement, rather than '97.

19 JUDGE JONES: Thank you for that clarification.

20 Ms. Chang, any clarifications from
21 your end?

22 MS. CHANG: No, Your Honor.

1 JUDGE JONES: Ms. Chang, was there any other
2 information that you were seeking other than those
3 items?

4 MS. CHANG: No, Your Honor.

5 JUDGE JONES: All right. Are there any
6 objections to the implementation of that scheduling
7 at this time?

8 MS. CHANG: Not from Staff, Your Honor.

9 JUDGE JONES: All right. Ms. Hertel?

10 MS. HERTEL: No, Your Honor, not on behalf of
11 Petitioner.

12 JUDGE JONES: All right. Let the record show
13 that that scheduling will be put into place at this
14 time. It's being done on the record as part of the
15 scheduling in this docket. It might be noted that
16 the schedule is structured in such a way that it will
17 provide some opportunity for communications between
18 Ms. Hertel and Ms. Chang, should those two parties
19 believe such communications would be beneficial in
20 terms of preparing the material in a manner that does
21 reflect the information that it is intended to show.

22 MS. HERTEL: Thank you, Your Honor.

1 JUDGE JONES: All right. I think that's it.

2 Anything else then before we conclude this status

3 hearing?

4 MS. CHANG: Not from Staff.

5 JUDGE JONES: All right. Let the record show

6 that there is not. At this time then let the record

7 show the above schedule is in place. At this time

8 our thanks to Ms. Hertel for providing a call-in

9 number. Is the same one usable for the next round?

10 MS. HERTEL: Yes, it is indeed. Thank you,

11 Your Honor.

12 JUDGE JONES: Thank you for providing that.

13 At this time then let the record show

14 that this matter is continued as is discussed to a

15 status hearing on November 29 at 2:00 p.m. by phone.

16 Thank you, all.

17 (Whereupon the hearing in this

18 matter was continued until

19 November 29, 2006, at 2:00 p.m.

20 in Springfield, Illinois.)

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